

# Appendix I

## DoD Health Care Under International Agreements

This appendix contains the General Rules, extracts from the North Atlantic Treaty Organization (NATO) and Partnership for Peace (PFP) Status of Forces Agreements (SOFAs) and all the reciprocal health care agreements currently in force. The NATO/PFP SOFAs and specific country reciprocal health care agreements are international agreements that stipulate the health care that will be provided by the DoD to international military and their family members while in the United States in connection with their duties. Health care is provided in DoD medical Treatment facilities (MTFs) on a reciprocal, no cost basis to students under sponsorship of the Security Assistance Program when the student is covered by a valid reciprocal health care agreement with the United States. The following information summarizes the provision of health care under those agreements.

### I-1. GENERAL RULES

1. When both a Status of Forces Agreement and a Reciprocal Health Care Agreement cover a country, the Reciprocal Health Care Agreement prevails.
2. When an IMET IMS is covered by a Status of Forces, Reciprocal Health Care Agreement or both the IMETP pays for care not covered by the agreements.
3. When a FMS IMS or a family member of an IMS covered by a Status of Forces, Reciprocal Health Care Agreement or both, the IMS, FMS Case or Country is responsible for payment of care not covered by the agreements (The Invitational Travel Order should show payment responsibility).
4. The Status of Forces Agreements and Reciprocal Health Care Agreements do **not** cover Civilian IMS and their family members. Civilian IMS may receive emergency care on a reimbursable basis (comparable care to U.S. civilian components of the DoD).
5. The rules for IMS covered by agreements are essentially the same as for U.S. active duty, as long as they remain under the clinical control of the DoD medical treatment facility, if the facility refers an active duty patient outside the facility pays the bill.
6. If the DoD facility refers a family member of IMS covered by agreements outside for outpatient care, it falls under CHAMPUS or self-payment (IMS or Country).
7. If a DoD facility refers any inpatient that is covered by an agreement, for outside supplemental services, the facility pays the bill.

### I-2. NATO/PFP STATUS OF FORCES AGREEMENTS<sup>1</sup>

Albania	Georgia	Poland
Austria	Germany	Portugal
Azerbaijan	Greece	Romania
Belgium	Hungary	Slovak Republic
Bulgaria	Iceland	Slovenia
Canada	Kazakhstan	Spain
Croatia	Italy	Sweden
Czech Republic	Latvia	Turkey
Denmark	Lithuania	Ukraine
Estonia	Luxembourg	United Kingdom
Finland	Moldova	Uzbekistan
France	Netherlands	
FYROM	Norway	

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<sup>1</sup> Civilian components receive emergency care only on a reimbursable basis, does not cover family members.

- Free Outpatient Care
  - IMS Medical/Dental Same as U.S. Active Duty
  - Family Members Medical/Dental Same as U.S. Active Duty Family Members
    - Dental is Emergency Only
- Reimbursable Inpatient Care
  - IMET IMS – IMETP Pays
  - FMS IMS – IMS, FMS Case or Country Pays
  - Family Members – IMS, FMS Case or Country Pays
- TRICARE Standard (CHAMPUS) Outpatient Care (Family members only)
  - TRICARE Standard Pays 80%
  - IMS, FMS Case or Country Pays deductible and 20% thereafter

## **I-2.1. NORTH ATLANTIC TREATY ORGANIZATION STATUS OF FORCES AGREEMENT (EXTRACT)**

London,  
19 June 1951

### **Agreement**

Between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces

The parties to the North Atlantic Treaty signed in Washington on 4 April, 1949, Considering that the forces of one Party may be sent, by arrangement, to serve in the territory of another Party; Bearing in mind that the decision to send them and the conditions under which they will be sent, in so far as such conditions are not laid down by the present Agreement, will continue to be the subject of separate arrangements between the Parties concerned; Desiring, however, to define the status of such forces while in the territory of another Party; Have agreed as follows:

### **Article I**

1. In this Agreement the expression

a. 'force' means the personnel belonging to the land, sea or air armed services of one Contracting Party when in the territory of another Contracting Party in the North Atlantic Treaty area in connexion with their official duties, provided that the two Contracting Parties concerned may agree that certain individuals, units or formations shall not be regarded as constituting or included in a 'force' for the purpose of the present Agreement;

b. 'civilian component' means the civilian personnel accompanying a force of a Contracting Party who are in the employ of an armed service of that Contracting Party, and who are not stateless persons, nor nationals of any State which is not a Party to the North Atlantic Treaty, nor nationals of, nor ordinarily resident in, the State in which the force is located.

c. 'dependent' means the spouse of a member of a force or a civilian component, or a child of such member depending on him or her for support;

d. 'sending State' means the Contracting Party to which the force belongs;

e. 'receiving State' means the Contracting Party in the territory of which the force or civilian component is located, whether it be stationed there or passing in transit;

f. 'military authorities of the sending State' means those authorities of a sending State who are empowered by its law to enforce the military law of that State with respect to members of its forces or civilian components;

g. 'North Atlantic Council' means the Council established by Article 9 of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf.

2. This Agreement shall apply to the authorities of political sub-divisions of the Contracting Parties, within their territories to which the Agreement applies or extends in accordance with Article XX, as it applies to the central authorities of those Contracting Parties, provided, however, that property owned by political

sub-divisions shall not be considered to be property owned by a Contracting Party within the meaning of Article VIII.

#### **Article IX**

5. When a force or a civilian component has at the place where it is stationed inadequate medical or dental facilities, its members and their dependents may receive medical and dental care, including hospitalization, under the same conditions as comparable personnel of the receiving State.

7. Subject to any general or particular financial arrangements between the Contracting Parties, payment in local currency for goods, accommodation and services furnished under paragraphs, 2, 3, 4 and, if necessary, 5 and 6, of this Article shall be made promptly by the authorities of the force.

### **I-2.2 PARTNERSHIP FOR PEACE STATUS OF FORCES AGREEMENT (Extract)**

19 June 1995

19 juin 1995

#### **Agreement**

among the States parties to the North Atlantic Treaty and the other States participating in the Partnership for Peace regarding the status of their forces

The States Parties to the North Atlantic Treaty done in Washington on 4 April 1949 and the States which accept the invitation to the Partnership for Peace issued and signed by the Heads of State and Government of the member States of the North Atlantic Treaty Organisation in Brussels on 10 January 1994 and which subscribe to the Partnership for Peace Framework Document;

Constituting together the States participating in the Partnership for Peace;

Considering that the forces of one State Party to the Present Agreement may be sent and received, by arrangement, into the territory of another State Party;

Bearing in mind that the decisions to send and to receive forces will continue to be the subject of separate arrangements between the States Parties concerned;

Desiring, however, to define the status of such forces while in the territory of another State Party;

Recalling the Agreement between the States Parties to the North Atlantic Treaty regarding the status of their forces done at London on 19 June 1951;

Have agreed as follows:

#### **Article I:**

Except as otherwise provided for in the Present Agreement and any Additional Protocol in respect to its own Parties, all States Parties to the Present Agreement shall apply the provisions of the Agreement between Parties to the North Atlantic Treaty regarding the status of their forces, done at London on 19 June 1951, hereinafter referred to as the NATO SOFA, as if all State Parties to the Present Agreement were Parties to the NATO SOFA.

#### **Article II:**

1. In addition to the area to which the NATO SOFA applies the Present Agreement shall apply to the territory of all States Parties to the Present Agreement, which are not Parties to the NATO SOFA.

2. For the purpose of the Present Agreement, references in the NATO SOFA to the North Atlantic Treaty area shall be deemed also to include the territories referred to in paragraph 1 of the present Article, and references to the North Atlantic Treaty shall be deemed to include the Partnership for Peace.

### **Article III:**

For purposes of implementing the Present Agreement with respect to matters involving Parties that are not Parties to the NATO SOFA, provisions of the NATO SOFA that provide for requests to be submitted, or differences to be referred to the North Atlantic Council, the Chairman of the North Atlantic Council Deputies or an arbitrator shall be construed to require the Parties concerned to negotiate between or among themselves without recourse to any outside jurisdiction.

### **Article IV:**

The Present Agreement may be supplemented or otherwise modified in accordance with international law.

### **Article V:**

1.The Present Agreement shall be open for signature by any State that is either a contracting party to the NATO SOFA, or that accepts the invitation to Partnership for Peace and subscribed to the Partnership for Peace Framework Document.

2.The Present Agreement shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the United States of America, which shall notify all signatory States of each such deposit.

3.Thirty days after three signatory States, at least one of which is a Party to the NATO SOFA and one which has accepted the invitation to the Partnership for Peace and subscribed to the Partnership for Peace Framework Document, have deposited their instruments of ratification, acceptance or approval, the Present Agreement shall enter into force in respect of those States. It shall enter into force in respect of each other signatory State thirty days after the date of deposit of its instrument.

### **Article VI:**

The Present Agreement may be denounced by any Party to this Agreement by giving written notification of denunciation to the Government of the United States of America, which will notify all signatory States of each such notification. The denunciation shall take effect one year after receipt of the notification by the Government of the United States of America. After the expiration of this period of one year, the Present Agreement shall cease to be in force as regards the Party that denounces it, except for the settlement of outstanding claims that arose before the day on which the denunciation takes effect, but shall continue to be in force for the remaining Parties.

## **I-3. RECIPROCAL HEALTH CARE AGREEMENTS<sup>1</sup>**

Copies of Reciprocal Health Care Agreements can be found at <http://tricare.osd.mil/recip>. The following countries have agreements.

**Argentina:** Covers IMS and family members when assigned in Maryland, Virginia or the District of Columbia

**Bolivia:** Covers IMS and family members

**Canada:** Does not cover FMS IMS and no family members. Will cover PME Exchanges IMS.

**Colombia:** Covers IMS and family members

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<sup>1</sup> Does not cover Civilian IMS and their family members

**Dominican Republic:** Does not cover IMET IMS. Will cover FMS IMS, family members of both IMET and FMS

**Ecuador:** Does not cover IMET and FMS IMS or their family members.

**El Salvador:** Covers IMET and FMS IMS and their family members

**Germany:** Covers FMS IMS and family members. Does have some limitation. Review Annex B of the agreement.

**Guatemala:** Covers IMET and FMS IMS and their family members

**Mexico:** Covers IMET and FMS IMS and their family members

**Romania:** Covers IMET and FMS IMS and their family members

**Tunisia:** Covers IMET and FMS IMS and their family members

**Ukraine:** Covers IMET and FMS IMS and their family members in the U.S. 30 days or longer.

**United Kingdom:** Covers FMS IMS and family members

**Uruguay:** Covers IMET and FMS IMS and their family members

**Venezuela:** Does not cover IMET IMS. Will cover FMS IMS, family members of both IMET and FMS

- DoD Facilities Free Outpatient and Inpatient Care
  - IMS Medical/Dental Same as U.S. Active Duty
  - Family Members Medical/Dental Same as U.S. Active Duty Family Members
    - Dental is Emergency Only
- Civilian Facilities
  - IMET IMS - IMETP Pays Care Not Covered
  - FMS IMS and all Family Members – IMS (Medical Insurance, FMS Case or Country Pays
- No CHAMPUS